



**Paul Diver Associates**  
Employment Relations Consultants

Investigation Report  
on complaint received from

Far North District Council

regarding

Cnr Dave Hookway

13 December 2017

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Investigation Date: November 2017

## Introduction

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The Far North District Council relies upon its Code of Conduct (the Code), along with the Local Government Act 2002 (LGA), to set the standards of behaviour expected from individuals elected members in carrying out their duties.

The Code provides a process to address any alleged breaches of the Code.

Clause 12 of the Code provides that:

- Members must comply with the provisions of the Code;
- Any member, or the Chief Executive, who believes the Code has been breached may make a complaint;
- All complaints will be considered in a manner provided for in 12.1 of the Code;
- The investigation of an allegation will be carried out in accordance with Appendix Two of the Code.

Clause 12.1 Principles:

The following principles will guide any processes for investigating and determining whether or not a breach under this Code has occurred:

- that the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the breach complained about;
- that the roles of complaint, investigation, advice and decision-making will be kept separate as appropriate to the nature and complexity of an alleged breach;
- that the concepts of natural justice and fairness will apply in the determination of any complaints made under this Code. This requires, conditional on the nature of an alleged breach, that affected parties:
  - have a right to know that an investigation process is underway;
  - are given due notice and are provided with an opportunity to be heard;
  - have a right to seek appropriate advice and be represented; and
  - have their privacy respected.

Clause 12.2 Complaints

- All complaints made under this Code must be made in writing and forwarded to the Chief Executive. On receipt of a complaint the Chief Executive must forward that complaint to an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to warrant a full investigation.

This was reported to the Chief Executive Officer who instructed that I was to proceed to an investigation.

The preliminary assessment is attached in Appendix (A) of this report.

### This Investigation Report

The material I have considered and transcripts of the interviews are attached to this report as Annexures, as follows:

A	Preliminary Assessment dated 7 September 17	
B	Formal Complaint letter dated 23 August 17	
C	Far North District Council Code of Conduct	
D	One Point of View article of 22 August 2017	
E	Email exchange Cr Hookway and	21 November 17
F	Email exchange Cr Hookway and	30 November 17
G	Transcript of interview	
H	Transcript of interview	
I	Transcript of interview	
J	Further information provided at interviews	

Where I have quoted from the transcript I have closed the caption with speech marks and italics.

### Purpose of Investigation

To make factual findings in relation to the complaint raised by Shaun Clarke, CEO of FNDC following receipt of the letter of complaint from the Strategic Leadership Team dated 23 August 17 alleging a breach of the Code of Conduct.

To determine if the article "One Point of View" "There's lots to fix" published in the Northland Age on 22 August 17 in Cr Dave Hookway's One Point of View column:

1. Compromised the integrity of council staff by:
  - a. Making allegations that undermine public confidence in staff and senior management;
  - b. Causing damage to reputations; and/or
  - c. Causing distress and hurt to staff and their family;
2. Adversely affected any of the SLT personally.
3. Further aggravated the situation by being posted by Cr Hookway on a number of community websites.

### Investigation

In conducting this investigation, I have:

- read the complaint letter
- interviewed all available and relevant witnesses
- reviewed the Code of Conduct
- reviewed further evidence provided (and attached to this report)

- Only members and the Chief Executive make a complaint under this Code.

#### Clause 12.3 Investigation, advice and decision

- The process, following receipt of a complaint, will follow the steps outlined in Appendix Two.

#### Clause 12.4 Materiality

- An alleged breach under this Code is material if, in the opinion of the independent investigator, it would, if proven, bring a member or the Council into disrepute or reflect adversely on a member or the Council if not addressed.

Appendix 2 of the Code provides that the process for the investigation is:

Step 1: On receipt of a complaint the Cr will refer the complaint to an investigator;

Step 2: Investigator makes preliminary assessment

- If the complaint is found to be material:

Step 4: The investigator will prepare a report on the seriousness of the breach

Step 5: The report is considered by the full council, excluding the complainant, respondent or any other interested party or a committee established for that purpose.

#### The Complaint

On 23 August 2017, the Strategic Leadership Team (SLT) wrote to Shaun Clarke, Chief Executive Officer of Far North District Council raising a formal complaint and alleged that Cr Dave Hookway may have breached the Code of Conduct.

The complaint letter alleged that the contents of a newspaper column dated 22 August 2017 published in the Northland Age compromised the integrity of all council staff, made allegations of corruption and undermined public confidence in staff and senior management.

The SLT also considered the situation had been aggravated by Cr Hookway allegedly posting the article on a number of community websites which led to a greater exposure.

The complaint letter expressed concerns about the impact this article had on the reputations of all council staff and that it was hurtful to all staff, family and friends.

The letter was signed by Kathryn Ross, Dr Dean Myburgh, Samantha Edmonds, Bill Lee, Jill Coyle, Richard Edmondson.

Shaun Clarke, Chief Executive Officer has sought to have this matter investigated in accordance with the process provided for in the Code and as such, a preliminary assessment was required.

#### Preliminary Assessment

The Code provides for the Investigator to assess whether or not there is a matter to be investigated. This is a prima facie assessment and on 7 September 17, I formed a view that the complaint was material and should be fully investigated.

Cr Hookway was invited to meet with me on several occasions in November 2017. Cr Hookway responded advising that he did not recognise the legality of the complaint and attached his letter to Shaun Clarke dated 20 October 2017 which set out the reasons that he would not participate in any investigation or meet with any investigator.

Cr Hookway raised concerns advising *"I find it totally inappropriate that your company is engaged in this investigation when one of the complainants - [redacted] – is associated with it on LinkedIn. For this reason alone – you should immediately cease further investigations and pass this back to council."*

I raised the concerns with Council and also investigated any potential conflict of interest. I have no affiliation, interest or involvement in the FNDC or any of the parties involved in the investigation. I have no relationship with any party that has the potential to corrupt the investigation or motivate me as the investigator to form any particular view. There has been no influence by any party on me as the investigator and therefore no risk in me being seen as anything other than an independent and impartial investigator. I am not part of any social media site.

I wrote to Cr Hookway assuring him that there was no conflict of interest and that I was able to proceed as the investigator

To ensure the principals of natural justice and fairness were adhered to, I considered it important to interview Cr Hookway to understand his intention in writing the article and subsequently posting the article on other social media sites. Although the alleged breach could be investigated on the papers, i.e. "Did the article breach the Code of Conduct?", I am of the view to fully understand the matter, and to assist the FNDC decision makers in this process, Cr Hookway needed to be interviewed. However, I acknowledge Cr Hookway's right to choose not to meet with me or participate in the investigation.

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[redacted] is a member of the Strategic Leadership Team

The article came to [redacted] attention by FNDC Communications team. Richard Edmondson is head that team and normally shares articles of relevance with General Managers. Articles are usually topical issues in the district where people have particular views about controversial issues.

[redacted] read Cr Hookway's article and claims that *"was a bit taken aback that those kinds of insinuations and suggestions were being made by someone who is an elected member"*.

[redacted] had concerns that there was suggestion of corruption within Council. [redacted] claimed the article undermined the SLT and sought to *"have the senior team down the road because they're not doing a good job"*.

[redacted] expressed his disappointment that Cr Hookway had not had any constructive discussions with the SLT about under-performance or concerns about corruption. [redacted] claims the SLT *"were on the back foot or having to defend and explain ourselves rather than having a collegial discussion with the elected members"*.

[redacted] claims that Cnr Hookway is active on social media and believes there is a campaign, not just the single event of the article on 22 August 2017. [redacted] claims Cr Hookway is making accusations about Council staff members that they don't deserve. [redacted] claims that the allegations of incompetence and service has affected the SLT and their staff.

claims that the article impacted on [redacted] and [redacted] and that Cr Hookway's article and social media activity "followed [redacted] home". [redacted] believes the article has put [redacted] in a position of having to explain [redacted] to people who have read the articles. [redacted] claims "It does impact staff directly and then it flows through to family members and so on. So, I think that's the real impact."

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[redacted] is a member of the Strategic Leadership Team

The article came to [redacted] attention from the Communication team. [redacted] claims [redacted] was conscious of the lack of right of reply in local government and was concerned about reputation.

[redacted] explained that holding a senior role in Council makes [redacted] visible to the public. [redacted] had concerns that the contents of the article could "destroy [redacted] name and [redacted] branding".

[redacted] claims that the article also made comments about other people, without naming them, and was of the view that this was "degrading the Council's reputation which is all of our people that work here".

The SLT met to discuss the article and [redacted] claims the SLT was concerned, particularly around allegations of corruption and people being scared of retribution by council officers.

[redacted] claims that when the article was posted on Kerikeri notice board and the impact "was just absolutely killing me mentally and emotionally." [redacted] explained the impact the article had on every day activities like wearing FNDC lanyard in public, going to the hairdresser and hearing negative comments about Council with reference to Cr Hookway's article. [redacted] described an incident at [redacted] hairdressers when [redacted] overheard the article being discussed and [redacted] wanting to speak up but knowing [redacted] could not because of the impact this could have on [redacted] employment.

[redacted] explanation of how [redacted] believes the article undermines public confidence in staff is "there have been more articles questioning council, questioning salaries, questioning our Councillors" "you just feel like it's a continuation, it's just a hammering". [redacted] claims the article has impacted on health and [redacted] family.

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[redacted] is part of the Strategic Leadership Team

[redacted] team monitors the media and takes note of anything that needs to be flagged with other managers.

[redacted] claims [redacted] thought Cr Hookway's article of 22 August 17 was "crossing a line" with comments that "some in the community believe many of the current problems can be traced to the Senior Leadership Team and call for them to be restructured or replaced".

[redacted] was also concerned that the article also referred to a Serious Fraud Office investigation that took place four years ago, and, the allegations of complaints about service, poor communication, obstructive behaviour, and the words "even the occasional whisper of possible corruption".

[redacted] acknowledges Cr Hookway "did not explicitly say the staff are corrupt, or the staff are incompetent. But he implied this by not elaborating on the other comments, so he was leaving the reader guessing."

[redacted] said that although the 22 August article was the subject of the complaint, Cr Hookway posted that column on 12 community Facebook pages, and a further 22 people shared

it, so it had been shared by 34 people. is concerned that in a small community of 55,000 the postings on social media expanded the coverage. His experience is that when 34 people share Facebook pages, viewer rates can increase into the thousands and claims *"Kerikeri Facebook page in particular has 11,000 people following it"*.

claims in talking to staff many had seen the article.

claims the article impacted on and that *"suffered some mental anguish"*. claims *"was really stressed" and "got to a point where I thought, I'm really starting to wonder whether I want to do this job, and I'm actually starting to wonder whether I even want to live in this district because I saw such an ugly side of my community that I've lived in for 20 years"*.

claims in role he used to use social media effectively to get important information out to communities. This is for emergency situations, civil defense events, promoting projects, long term plan consultation meetings and good news that the community may want to know about. believes that the article has created a *"climate of hostility"* and is reluctant to use some pages because *"it doesn't feel like a safe place for staff to engage directly with the public anymore"*.

### The Code of Conduct

The Code is concerned with the behaviour of members towards:

- Each other;
- The Chief Executive;
- Staff
- The media and
- The general public

### 3 Values

The Code of Conduct is designed to give effect to the following values:

1. Public interest: members will serve the best interests of the people within their community, district or region and discharge their duties conscientiously, to the best of their ability.
2. Public trust: members, in order to foster community confidence and trust in their Council, will work together constructively and uphold the values of honesty, integrity, accountability and transparency;
3. Ethical behaviour: members will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly and will avoid the appearance of any such behaviour;
4. Objectivity: members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. Respect for others: will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability. Members will respect the impartiality and integrity of officials;
6. Duty to uphold the law: members will comply with all legislative requirements concerning their role, abide by this Code of Conduct, and act in accordance with the trust placed in them by the public;
7. Equitable contribution: members will take all reasonable steps to ensure they fulfil the duties and responsibilities of office, including attendance at meetings and workshops, background reading, attendance at civic events, and participation in relevant training seminars organised by the Council.

8. Leadership: members will actively promote and support these principles and ensure they are reflected in the way in which the Council operates including regular review and assessment.

These values complement and work in conjunction with, the principles of the LGA 2002

#### 5.2 Relationships with Staff

An important element of good governance involves the relationship between the Councils and its Chief Executives. Members will respect arrangements put in place to manage the interface between the governing body and its Chief Executive and:

- raise any concerns about employees, officers or contracted officials with their Chief Executive;
- raise any concerns about the performance or behaviour of Chief Executive with the Mayor /Chair of the Council or the Chairperson of the Chief Executive Performance Review Committee (however described);
- make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe those requirements at all times, such as the duty to be a good employer;
- treat all employees with courtesy and respect and avoid publicly criticising any employee;
- observe any protocols put in place by the Chief Executive concerning contact between members and employees;
- avoid doing anything which might compromise, or could be seen as compromising, the impartiality of an employee.

Any failure by members to act in the manner described above represents a breach of this Code.

#### 6. Contact with the Media

The media play an important part in the operation and efficacy of local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of Council. From time to time individual members will be approached to comment on a particular issue either on behalf of Council, or as an elected member in their own right.

When speaking to the media on behalf of the Council or when speaking to the media on their own behalf, members will comply with the following provisions:

##### 6.1 Media contact on behalf of the Council

- The Mayor or Chairperson is the first point of contact for an official view on any issue, unless delegations state otherwise. Where the Mayor/Chair is absent requests for comment will be referred to the Deputy Mayor/Chair or relevant Committee Chairperson;
- the Mayor or Chairperson may refer any matter to the relevant Committee Chairperson or to the Chief Executive for their comment; and
- no other member may comment on behalf of the Council without having first obtained the approval of the Mayor or Chairperson.

##### 6.2 Media comment on a member's own behalf

Elected members are free to express a personal view in the media, at any time, provided the following rules are observed:



- media comments must not state or imply that they represent the views of the Council;
- media comments which are contrary to a council decision or policy must clearly state that they do not represent the views of the majority of members;
- media comments must observe the other requirements of the Code of Conduct; for example, comments should not disclose confidential information, criticise, or compromise the impartiality or integrity of staff;
- media comments must not be misleading and should be accurate within the bounds of reasonableness.

Any failure by members to meet the standards set out above represents a breach of this Code.

## 7 Information

Access to information is critical to the effective performance of a local authority and the level of public trust felt by the public.

### 7.2 Information received in capacity as an elected member

Members will disclose, to other members and, if appropriate, the Chief Executive, any information received in their capacity as an elected member that concerns the Council's ability to give effect to its responsibilities.

Members who are offered information on the condition that it remain confidential will inform the provider of the information that the member has a duty of disclosure and will decline the information if that duty is likely to be compromised.

Any failure by members to act in the manner described above represents a breach of this Code.

#### Additional Information

Attached to this report is the written information provided by Richard Edmondson.

## Investigation

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### **Did Cr Hookway's article breach the Code of Conduct?**

Clause 3 of the Code sets the values:

2. Public trust: members, in order to foster community confidence and trust in their Council, will work together constructively and uphold the values of honesty, integrity, accountability and transparency;

5. Respect for others: will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability. Members will respect the impartiality and integrity of officials;

In Cnr Hookway's article he wrote:

*"So it is for years we have had complaints about service, poor communication, obstructive behavior and even the occasional whisper of possible corruption."*

*"It must address concerns covering the past four years, since the Serious Fraud Office last investigated the Council."*

*"This does little to instill confidence in an unbiased policy development process.*

*"We need to act urgently and take bold steps to fix the very foundations of our council"*

**I am of the view that these comments were not aligned with the Council values and the principles of the LGA 2002. The column is written by Cr Hookway in his capacity as Councilor and not as a private individual. The allegations he raises are not constructive and rather than foster community confidence and trust in Council the article disparages the Council.**

Clause 5.2 provides the expectations regarding relationships with Staff and provides that the Members will respect arrangements put in place to manage the interface between the governing body and its Chief Executive and:

- raise any concerns about employees, officers or contracted officials with their Chief Executive;
- make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe those requirements at all times, such as the duty to be a good employer;
- treat all employees with courtesy and respect and avoid publicly criticising any employee;
- avoid doing anything which might compromise, or could be seen as compromising, the impartiality of an employee.

In Cnr Hookway's article he wrote:

*"Some in the community believe many of the current problems can be traced to the senior leadership team and for them to be restructured or replaced."*

*"But what has me very concerned is that a council staff member associated with writing the policy has been actively signing people up to a Facebook page supporting it."*

**I am of the view that Cr Hookway failed to act in the manner described in Clause 5.2 of the Code. He did not raise his concerns with the CE, his comments publicly criticised the SLT and, even if the employee was not named, criticised the council staff member writing the policy.**

Clause 6.2 provides that elected members are free to express a personal view in the media, at any time, provided the following rules are observed:

- media comments must not state or imply that they represent the views of the Council;
- media comments must observe the other requirements of the Code of Conduct; for example, comments should not disclose confidential information, criticise, or compromise the impartiality or integrity of staff;

In Cnr Hookway's article he wrote:

*"Following the council's significant loss to the Rintoul Group in the High Court recently, my calls for an independent review of our procurement procedures were supported by Mayor Carter. Such a review needs to be at arm's length from any staff. It must address concerns covering the past four years, since the Serious Fraud Office last investigated the council."*

*"Some in the community believe many of the current problems can be traced to the senior leadership team, and call for them to be restructured or replaced. If even half of the complaints I have received from the public are true, this must be taken seriously. Claims that people are scared of retribution by council officers are alarming"*

*"But what has me very concerned is that a council staff member associate with writing the policy has been actively signing people up to a Facebook page supporting it."*

I am of the view that Cr Hookway failed to act in the manner described in Clause 6.2 of the Code. The author of the column is Cr Dave Hookway which includes his official council title of "Cr" and although he is free to express his personal views, his article is critical of specific staff members. It also raised historical issues that have been investigated and concluded.

Clause 7.2 provides that Members will disclosed any information received in their capacity as an elected member that concerns the Council's ability to give effect to its responsibilities.

In Cnr Hookway's article he wrote:

*"If even half the complaints I have received from the public are true, this must be taken seriously."*

*"Claims that people are scared of retribution by council officers"*

I am of the view that Cr Hookway did not disclose information and complaints to the CE and that, because of this, the CE did not have an opportunity to investigate allegations concerning staff members. Cr Hookway refers to the number of complaints that he has received and if there was grounds for concern he should have raised this in accordance with Clause 7.2. The article expresses Cr Hookway's view of the public's opinion without any factual basis and the innuendo had the potential undermined public confidence in the Council.

Findings

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**Did the article "One Point of View" "There's lots to fix" breach of the Code of Conduct.**  
The Code of Conduct provides that any failure by members to act in the manner described in the Code represents a breach of the Code.

Cr Hookway failed to act in the manner described in Clause 5.2, 6.2 and 7.2 of the Code, as set out above in "Investigation" and the allegation that he breached the Code of Conduct is substantiated.

**Did the article compromise the integrity of staff by undermining confidence and damage their reputations?**

The article made allegations that the community view Council, the SLT and council officers as a group to be "scared of" and having "poor communication, obstructive behaviour and the occasional possible whisper of possible corruption".

The community is a small one and the groups / people referred to in the article were identifiable and this had the potential to compromise the integrity of council staff and undermine public confidence in staff and senior management. I am unable to substantiate whether the article did in fact have this effect, but the innuendo had the potential to do so.

The interviewees provided hearsay information from staff which claims that the article impacted negatively on them and gave their observations on how the article impacted on family members. This included family members no longer wishing to be involved on social media sites because of the adverse comments about council staff on Council.

There is no evidence that the article comprised the integrity of council staff, this allegation is **unsubstantiated**.

#### **Did the article adversely affect the SLT group personally?**

The members of the SLT who were interviewed talked about the concerns they had about the damage of their reputations and talked about the distress the article has caused them and their families. They spoke about the impact the article had on them with varying comments describing discomfort in the community with people approaching them asking what was going on, the feeling of not being able to respond and not having the power to defend themselves, to consideration of exiting their employment and the area where they live.

Taking all the evidence into account gathered in the interviews (transcripts attached) I am of the view that individuals were negatively impacted by the article. The allegation that the article had affected the SLT team personally is **substantiated**.

#### **Was the situation aggravated by Cr Hookway posting the article on a number of community websites?**

The evidence and information gathered shows that Cr Hookway posting the article on a number of community websites provided a greater audience, but I am **unable to substantiate** whether this aggravate the situation.

For completeness, I have attached other articles and social media posts that were provided to me during my interviews. These articles do not form part of my terms of reference for this investigation and I am unable to comment on them or considered them as part of this investigation.

#### **Seriousness of the Breach**

Appendix 2 of the Code of Conduct provides that the investigator will report on the seriousness of the breach.

The Code does not define what is and what is not serious.

A definition of a serious breach is a breach that is likely to affect to a significant degree.

I repeat here that it would have been helpful to my investigation to understand Cr Hookway's intention in publishing the article and I am of the view that this information may have influenced my consideration of the seriousness of the breach.

In forming a view on whether the breach is 'serious' I have considered:

- The purpose of the Code of Conduct.
- The responsibility Cr Hookway has to comply with the Code of Conduct.
- Cr Hookway's rights and obligations as an elected Member of Council.
- The impact on the Council and council staff.

The Code of Conduct sets out the standards of behaviour expected from individual elected members in the exercise of their duties. Its purpose is to:

- Enhance the effectiveness of the local authority and the provision of good local government of the community, district, city or region;

- promote effective decision-making and community engagement;
- enhance the credibility and accountability of the local authority to its communities; and
- develop a culture of mutual trust, respect and tolerance between the members of the local authority and between the members and management. This purpose is given effect through the values, roles, responsibilities and specific behaviours agreed in this Code.

Cr Hookway's actions breached of the Code of Conduct. They were not the behaviours expected of an elected member of Council and Cr Hookway should have raised concerns in the process provided for in the Code of Conduct. There has been a serious impact on SLT members that I interviewed. The article did impact on the community with evidence that the community was talking about the article and speaking disparagingly about Council and council staff because of it.

There is potential for the article to effect to a significant degree but there is no evidence to show this has occurred.

I am unable to establish that this was a serious breach but based on all the evidence and information, I am of the view, that it had the potential to be serious.

Paul Diver Associates

# Point of Order

## Cr Dave Hookway

### Don't shoot the messenger

In August I compared the poor condition of Far North roads to the ongoing issues our council is facing. Whilst attempting to patch up the problem spots, we fail to address the underlying problems that continue to besiege us.

I referred to the fact that "we have had complaints about service, poor communication, obstructive behaviour, and even the occasional whisper of possible corruption."

I also wrote that "Some in the community believe many of the current problems can be traced to the senior leadership team, and call for them to be restructured or replaced," and "Claims that people are scared of retribution by council officers are alarming and the current litigious attitude of council is costing ratepayers a fortune, with lawyers the only winners."

These comments were made as observations from your letters to the editor in the papers, your comments in social media, personal conversations and emails received from you, and personal reflections from other elected members and staff. So it was surprising to find that they formed the basis for the code of conduct complaint against me by a collective of senior staff.

Their complaint alleged that such comments "are very damaging to all our reputations and extremely hurtful to all our staff, family and friends," and "we need to take urgent action to protect the health and safety of our people."

However, among the supportive communications I've received was a heartfelt plea from a staff member: "I wish I had a voice to speak out without fear of further bullying and victimisation and fear of



**"What should we be doing? How can we sort out this mess that we are in? Please, let me and my fellow elected members know, before it is too late."**

losing my job. This organisation is sick at all levels — people are more absent due to stress, than I've ever seen — the ones trying to make a difference that is.

"Stay the course and keep rattling the cage — we need it."

Council management has spent thousands of ratepayer dollars investigating this complaint against me despite the fact that the Code of Conduct (section 12.2) states very clearly that only elected members and the chief executive can make such a complaint.

Some might think that these actions confirm the earlier observation of retribution if you choose to speak out, and exemplify the litigious nature of council. Disappointingly, the senior management involved never sat down to discuss the issues with me.

Finally, that August article was in response to the High Court findings in support of Rintoul Group (vs FNDC), which, it has been rumoured may cost ratepayers up to \$700,000 in settlement. This week the papers reported that Rintoul Group has filed further proceedings against council.

Personally, I've had enough. The review I called for in August of our procurement practices (among other things) must transparently address these issues so we can address your concerns and instil confidence in council once again. We need to talk with you, our community, not fight you.

So I need your help. What should we be doing? How can we sort out this mess that we are in? Please, let me and my fellow elected members know, before it is too late.



# Point of Order

## Cr Dave Hookway

### Changing lightbulbs

I was watching a couple of council workers the other day. One would dig a hole, the other would follow behind him and fill it in. They worked furiously all day without rest, one guy digging a hole, the other guy filling it in again.

I was amazed at their hard work, but couldn't understand what they were doing. So I asked the hole digger, "I appreciate the effort you're putting into your work, but what's the story? You dig a hole and your partner follows behind and fills it up again". The hole digger wiped his brow and sighed, "Well, normally we're a three-man team, but the bloke who plants the trees is sick today."

Yes, it's just a joke. But what's not a joke is the amount of money our council spends on staff and contractors here in the Far North.

Last week the *NZ Herald* featured a story on Auckland Council's wages blowout. They have more than 2300 staff each being paid \$100,000-plus per year, and 194 earning over \$200,000. Here in the North, the FNDC 2015/16 financial year report showed consolidated personnel costs to have increased from \$20.8 million in 2015 to \$23.6 million in 2016. The current annual plan identifies this rising to over \$25 million for the 2017-18 year. That's without adding in further millions for temporary contractors' salaries and associated fees.

To a certain extent such increases might have been justified if they translated into increased levels of service — but they haven't.



**"I can tell you that I'm far from happy with an expectation that we can continue to hit ratepayers with increases in rates year after year without actually delivering significant benefits."**

in our latest survey. Shocking.

So where does this all leave us? Currently we're working on our next 10-year long term plan (LTP). I'm forbidden to discuss the details, but I can tell you that I'm far from happy with an expectation that we can continue to hit ratepayers with increases in rates year after year without actually delivering significant benefits. Just as the government doesn't put up taxes every year, it's up to our senior management to deliver efficiencies (read cuts) across the organisation to minimise cost impacts on you.

Your opportunity to comment on the proposed LTP will come early next year. Don't sit back — have your say and tell us how many council staff you think will be needed to change a light bulb next year.

Outgoing acting chief executive Colin Dale wrote in the 2013-14 annual report: "One of the challenges has been to attract the right people to the right positions to ensure that strategy work and service delivery is more efficient. Most of the strategic appointments have now been made, and we can look forward to getting on with the job." Four years on, one might ask how many more staff we need to employ before we see an increase in performance.

That same year he also noted, "Only 42 per cent of those surveyed were satisfied with roading service levels, and that was well below target." Well hello — those figures have now halved to just 21 per cent

# Point of Order

## Cr Dave (Bear) Hookway Taking back control

For good or bad, people are talking about our council.

My last column sure stirred up a lot of debate. It also resulted in me being informed by our CEO that he has received a Code of Conduct complaint against me, signed by all of council's senior management team. Why? I don't know as yet. My opinion piece simply made the observation that things are not right with council. Most importantly, the concerns being shared by many of you about not being listened to are valid, and must be addressed.

Since that last article I have received comments from a number of people alluding to what they perceive as another layer of governance within the council, a 'shadow governance,' possibly comprising councillor(s) and staff who are actually in control.

I can't confirm if these suspicions are correct. What I can say is that as your elected representatives, it is OUR job to provide the governance over council. The law requires that. We need to ensure that policies and processes that will give you the confidence that our decisions are transparent and accountable are in place.

Our Code of Conduct specifically states: 'Members, in order to foster community confidence and trust in their Council, will work together constructively and uphold the values of honesty, integrity, accountability and transparency. I am confident that Mayor Carter and my fellow councillors, like me, are all committed to making this happen.



**"As elected representatives, we put ourselves on the line, and like all politicians expose ourselves to all sorts of allegations and at times name-calling."**

be in the job. Council spends more than enough on legal matters without having to expend further valuable ratepayer dollars pursuing frivolous cases to defend councillor egos.

My writings have not been about bagging the council (we have some awesome staff who work very hard). They are to reassure you that some of us are listening and prepared to take action. I don't support the petition calling for ministerial intervention. I have faith in Mayor Carter that he can work with councillors to reassert our governance and resolve the quite serious issues we're facing, many of which are historical, and should have been sorted by now.

I for one am prepared to step up and do the job you put me there to do. Thank you for your support.

Our Code of Conduct also states that elected members: 'be available to listen and respond openly and honestly to community concerns.' This is something that I believe, from your feedback, I am doing. In fact it was in response to this outpouring of support on Facebook for what I had said that council chose to warn page admins that they could be sued over comments from posters. I know many felt that this was somewhat heavy-handed.

As elected representatives, we put ourselves on the line, and like all politicians expose ourselves to all sorts of allegations and at times name-calling. It goes with the territory, and to be honest, if we don't like it we shouldn't

## Dire Pete Kee

Every year 200,000 people in Zealand suffer from food poisoning.

However count the actual costs, local food rules are too high — of that illness prevented. In March practical, precautions a wide range of businesses food safe for

In her c August 31 cracy rules, Muriel accused the of creating costs and making it difficult for food businesses suggest that about giving businesses more while making food is safe.

The new have moved approach of businesses to handle, presently make a The old approach of fitness road rules

The new owners a ch own food safe rules pre-written dence from I about real risk They're often expect to do it raw chicken some foods a Under the ne safe methods chicken, sushi enjoy. The ca



# One Point of View

## Cr Dave Hookway

### There's lots to fix

We have some of the worst roads in the country.

Have you noticed that the most notorious spots have remained the same despite millions of dollars thrown at 'maintaining' them every year? Why? The simple answer is that we are not fixing the foundations. While the potholes get a bit of fill or slap of bitumen, we don't resolve the underlying issue(s) that caused them.

So it is with our council. For years we have had complaints about service, poor communication, obstructive behaviour, and even the occasional whisper of possible corruption.

Following the council's significant loss to the Rintoul Group in the High Court recently, my calls for an independent review of our procurement procedures were supported by Mayor Carter. Such a review needs to be at arm's length from any staff. It must address concerns covering the past four years, since the Serious Fraud Office last investigated the council. This review needs to be widened to offer the community an opportunity to step forward with their concerns; not just procurement matters, but also other issues we have failed to address.

Like those pot holes, we need to get to the foundation of the problem and resolve the issues before we can move forward with confidence.

Some in the community believe many of the current problems can be traced to the senior leadership team, and call for them to be restructured or replaced. If even half of the complaints I have received from the public are true, this must be taken seriously. Claims that



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people are scared of retribution by council officers are alarming, and the council's current litigious attitude is costing ratepayers a fortune, with lawyers the only winners.

The other issue that has blown up in council's face recently is the proposed dog control bylaw and policy review. If my email inbox is anything to go by, hundreds of residents are shocked with the prospect of not being able to take Skip for a walk along the beach or give him some off-leash time when away from home. The draft policy provides just five dog exercise areas across the entire Far North District — one each in Kaitaia, Opua and Russell, and two in Kerikeri.

Now I have to admit to a conflict of interest, having dogs of our own.

I understand the issues of protecting wildlife and the problems that dogs, and more generally their owners, can cause. But what has me very concerned is that a council staff member associated with writing the policy has been actively signing people up to a Facebook page supporting it. This does little to instil confidence in an unbiased policy development process.

Obviously we are getting a lot of things wrong. If the reports about the numbers of people signing the petition calling for government intervention are correct, we need to act urgently and take bold steps to fix the very foundations of our council.

This will only happen when we restore open and transparent processes through which decisions can be scrutinised.